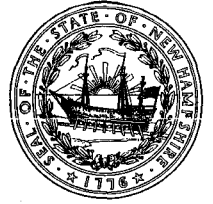




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Scott Tagle
Holiday Inn
1 Keewaydin Drive
Salem, New Hampshire 03079

LETTER OF DEFICIENCY
WMB PBF 05-16
September 16, 2005

Dear Mr. Tagle:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On September 13, 2005, DES inspected the following public bathing facilities at the Holiday Inn in Salem, NH: the indoor pool ("Indoor Pool") and spa ("Spa"). This inspection was initiated by a formal complaint citing water quality and safety issues which was originally received by the Salem Board of Health.

During this inspection, the following deficiencies were noted:

1. A recommendation to close the Indoor Pool and Spa was issued on September 13, 2005. The inspection on September 13, 2005 revealed that the Spa was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Pool water:
 - a. Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (OCTS/100mL). The Spa water contained total coliform bacteria and was too numerous to count.
 - b. Pursuant to Env-Ws 1103.14(a)(3) the maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Spa water contained greater than 200 CTS/100mL.
2. Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Indoor Pool water was 0.42 mg/L on September 13, 2005.
3. Env-Ws 1103.16(e) requires a free residual chlorine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L chlorine. The chlorine concentration of the Spa water was approximately Zero on September 13, 2005. The Spa was drained by facility personnel at the time of inspection.
4. Env-Ws 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. Current results were not being recorded at the time of the inspection relative to the required testing of the Indoor Pool and Spa water and testing was only being conducted one time per day.
5. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration system for the Indoor Pool did not include a working flow meter.
6. Env-Ws 1105.03(d)(2) requires spa filtration systems to include a flow meter. The filtration system for the Spa did not include a working flow meter.

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7. Pursuant to Env-Ws 1103.14(d), pumps, filters, disinfectant feeders, flow indicators, gauges, and all related components of the recirculation system shall be kept in operation for the duration of one turnover time (i.e., the passage of a facility's volume of water through the recirculation system once) prior to and consistently during use of a public bathing facility. The Spa disinfectant feeder was in the off position at the time of inspection.

DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities from an established test log. (please do not send originals).
2. A timetable of when:
 - a. the installation or repair of the flow meters will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,


Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7569

Enclosures

cc: ✓Gretchen R. Hamel, Legal Unit Administrator, DES
Tim Wilson, Public Bathing Facility Coordinator, DES
Brian Lockard, Health Officer, Town of Salem